

David Lawrence & Co., Ltd.

CIGAR MERCHANTS

Young Building

5 MONEY SAVERS

SPECIAL BARGAINS FOR ALERT BUYERS
Beginning Monday Morning

Here are opportunities not to be missed for buying the goods you use every day at money-saving prices, the best goods, too. It isn't necessary for us to cut prices to sell them, because we are selling yards and yards of these goods all the time at their regular values. These bargains are a part of our plan to make this the popular place to buy. Following prices for next week only:

SPECIAL NO. 1— WHITE CAMBRIC

Extra fine quality. We sell it every day at 12 1/2c and 15c per yard, according to the width, etc. Next week on sale at
10 yds for \$1.00

SPECIAL NO. 3— MADOPOLAM

Standard 10c per yard quality. All next week at
12 yds for \$1.00

SPECIAL NO. 2— LADIES' WHITE LACE ROSE

All sizes, of extra fine quality; regular price 35c; next week we sell them at
6 pairs for \$1.00

SPECIAL NO. 4— MADOPOLAM

Extra quality, cambric finish, regular price 12 1/2c. Next week's sale
10 yds for \$1.00

SPECIAL NO. 5— WHITE COTTON TOWELING

Very good quality of toweling. Unlike the above advertised goods, we are overstocked in toweling, hence we sell it at an extremely low figure. All next week the price is
5 cents per yard

THANKSGIVING NOTICE

Don't forget the unusually fine stock of table linens we are selling. We will have them advertised in Monday's paper. Our window displays are now being admired by hundreds.

N. S. Sachs' Dry Goods Co.,
Corner Fort and Beretania Streets
Limited.

CONGO GNAT OIL

Anti-Fly and Antiseptic

STOPS FLIES AND GNATS AND CURES ALL SORENESS.

Sixth year of unequalled success. This oil is pronounced the very best on the market.

No Spray Required

CONGO GNAT OIL has been used extensively by Louisiana sugar planters on their cattle and has given general satisfaction.

Price - \$1.00 per gallon

THEO. H. DAVIES & Co., Limited

DISTRIBUTING AGENTS HONOLULU KAAHUMANU ST.

**NEW
GOODS
PER ALAMEDA**

Self Raising Buckwheat Flour, Jello
Uneda Biscuit, Chocolate Wafers, Cream
of Wheat, Cream of Chocolate, Grape
Juice, Smoked Halibut, Fresh Apples
Grapes, Nuts, Postum Cereal, Mild
Cheese, Edam Cheese

Salters' Grocery

518 S. King St.,

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HAWAIIAN STOCK YARDS CO., Ltd

E. H. LEWIS, General Manager

LIVERY AND BOARDING STABLE.



All new and up-to-date rigs.
Importers and dealers in all
kinds of live stock.

PRICES TO SUIT THE TIMES.

**HONOLULU BOWLING PARLOR
and PING PONG COURTS**

The fall season of the Parlor is
opening with a rush.

NEW OAHU CARRIAGE MFG. CO.

All vehicles at the shop of the former Oahu Carriage Mfg. Co., Ltd., held for repairs, will be sold one month from this date if not paid for.

2297-1m

Governor Dole's Messages To Territorial Senators

You have been called together in special session to consider matters raised by the misconduct of executive officers of high position. These will be referred to the Senate for its action through special messages reciting the circumstances of the several cases under consideration, with the recommendation of the Executive.

I am confident that will enter into the investigation of the important matters to be submitted to you with a conscientious consideration of the high principles relating to the honest and effective administration of public affairs and with a loyal devotion to the paramount interests of the body politic.

Not only with the departments of government to which your attention will be called be open to your investigation but you are also invited to an examination of the condition of such other departments and bureaus as in your judgment the public interests may call for.

(Signed) SANFORD B. DOLE,
Governor.

Executive Chamber, Territory of Hawaii, November 20th, 1902.

The Austin Case.
On the 25th day of September last I suspended Mr. Herbert C. Austin from the exercise of the office of Auditor and on the same day directed the Deputy Auditor, Mr. Henry C. Meyers, to take charge of the office and to conduct the same until further notice.

The following are copies of the correspondence in relation to such suspension:

Honolulu, T. H., September 1902.
Hon. Sanford B. Dole, Governor of the Territory of Hawaii, Honolulu, Hawaii.

Sir:—Referring to some recent conversations between us, wherein you requested my resignation as Auditor of this Territory, and intimating your determination to suspend me from said office, in the event that I should refuse or neglect to resign; and in view of that intimation, and of any possible attempt on your part to put into execution the intimation therein expressed, I have to submit as follows:

The measure of your authority in the matter of suspension is Section 3 of the Audit Act (Act 39, Sessions Laws of 1898) and, until those requisites have been complied with, you have no right to suspend, or to attempt to suspend me from my said office.

The provisions of that section clearly show, as a pre-requisite to the exercise of your power of suspension, that I must have offended, in some one or more of the particulars therein set forth as a ground of suspension. It is obvious that no such fault can be presumed against me; it must be regularly and formally found to exist; and such finding can be arrived at only as the result of:

(A) A formal confession on my part, which has not been made.

(B) Charges and specifications, setting forth such facts as constitute one or other of the causes of suspension therein set forth.

(C) An opportunity for me to be heard in defense of such charges, and in reply to such specifications, both as to their legal effect, if true; and as to the immateriality of any thereof in other words, an opportunity to either demur or plead, or both.

(D) A fair and impartial trial of either, or both, the law and facts which may be involved in such specifications.

(E) Following such fair and impartial trial, a formal finding, upon the evidence adduced, of such facts as, in point of law, constitute such offense or offenses as is or are contemplated by said Section 3.

When either the conditions mentioned in paragraph (A) as above, shall occur, or in the alternative, when all the conditions mentioned in paragraphs (B) to (E) inclusive, shall concur, then, and not until then, will your authority to suspend me be complete, and any attempt to so suspend me before then, will be premature on your part, illegal, and will be met with all the resistance I can oppose to it.

I deem it my duty to thus advise you of my views upon this matter, arrived at as the result of much consideration, and supported by the advice of counsel, in order that you may possibly be deterred from an act which, if attempted, might lead to violence, and other unhappy consequences.

I have the honor to be, Sir,

Your obedient servant,
(Signed) H. C. AUSTIN,
Auditor, Territory of Hawaii.

Mr. Herbert C. Austin, Auditor of the Territory of Hawaii.

Sir:—Whereas I, Sanford B. Dole, Governor of said Territory, have requested your resignation as Auditor; and whereas, you have asked me for a written statement of my reasons for requesting your resignation, and for written charges and specifications of official misconduct;

Now, therefore, I, Sanford B. Dole, Governor of said Territory, hereby present the following reasons for requesting said resignation, and the following charges and specifications upon which said request is founded:

1. That in the latter part of August, 1902, you applied to and requested C. F. Chillingworth, Deputy High Sher-

iff of said Territory, to loan you for your personal use the sum of two hundred and fifty dollars of the public funds collected as fines and costs by the said Chillingworth in his official capacity aforesaid.

2. That on or about the second day of September, 1902, you applied to and requested the said Chillingworth to loan you for your personal use the sum of two hundred dollars from public funds collected as fines and costs by said Chillingworth in his official capacity aforesaid.

3. That on or about the 6th day of July, 1902, you passed a check for upwards of \$1700, drawn by yourself in favor of Henry C. Hapal, Registrar of Public Accounts of the Territory of Hawaii, said check being drawn on the First Bank of Hilo, you having no funds, and knowing that you had no funds, in said bank to pay said check or any part thereof; and the same being drawn and issued by you to obtain money thereon for your own personal use in your individual capacity.

4. That on or about the 6th day of July, 1902, you procured from one William Vannatta, a public accountant residing in Hilo, the sum of \$255, giving therefor your check upon a bank in the city of Honolulu, well knowing at the time that you had no funds in said bank, to cover the payment of same; and that the said William Vannatta, as public accountant, did return to the Treasurer of the Territory said check for \$255 as a part of the government funds, and upon the presentation of said check for payment it was dishonored.

5. That while holding office as Auditor of said Territory you have procured money from B. H. Wright, Chief Clerk of the Department of Public Works, knowing that said Wright had no means of his own and no money to lend except public money in his official custody, you borrowing at one time from the said Wright as aforesaid the sum of \$750, for your own personal use, knowing that the same was taken from the public funds.

6. That you have from time to time given checks to creditors in payment of your personal debts, knowing that you did not have funds on deposit to honor said checks, and that said checks when presented would be dishonored and were dishonored.

7. That you have to a great extent, neglected to audit the accounts of Territorial officials throughout the Territory, as by law you were required to do; and by reason and in consequence of your transactions and conduct aforesaid you have so compromised yourself as to incapacitate you for the faithful and efficient auditing of public accounts; and by reason and in consequence of your neglect aforesaid to properly audit public accounts, and of your nonfeasance in office aforesaid, a grave defalcation has occurred in the Department of Public Works, and the confidence of the Territorial administration in the correctness of public accounts throughout the Territory has been impaired.

For the foregoing reasons and in the interest of an honest administration of public affairs in this Territory, I, Sanford B. Dole, Governor of said Territory, hereby suspend you from the office of Auditor of said Territory, pending such answer and defense as you may see fit to make to the foregoing statements, charges and specifications, and such further investigations as may be made relative thereto. You are hereby ordered to turn over all books, accounts and other records of the office of Auditor of said Territory to Mr. Henry C. Meyers, Deputy Auditor of said Territory.

(Signed) SANFORD B. DOLE,
Governor of the Territory of Hawaii.

Honolulu, T. H., Sept. 25th, 1902.

Mr. Henry C. Meyers, Deputy Auditor of the Territory of Hawaii.

Sir:—Mr. Herbert C. Austin, Auditor of said Territory, having this day been suspended from said office by me, pending such answer and defense as he may see fit to make to certain statements, charges and specifications of official misconduct made by me against him, and such further investigation as may be had relative thereto, I, Sanford B. Dole, Governor of said Territory, hereby direct you to take charge and control of the books, papers, accounts records, and all matters and things pertaining to said office and to conduct the said office, until further notice.

(Signed) SANFORD B. DOLE,
Governor of the Territory of Hawaii.

Honolulu, T. H., Sept. 26th, 1902.

Mr. Herbert C. Austin.

Sir:—In pursuance of the charges and specifications of abuse of authority, misbehavior and maladministration of office as Auditor of this Territory, and of the notice of suspension and suspension served upon you on the 25th day of September, 1902, which said charges, specifications, notice of suspension and suspension are hereto annexed and by reference made a part hereof, and are hereby affirmed and renewed; now, therefore, you are further notified to appear before me in the Executive Chamber, upon Monday the 29th day of September, 1902, at 10 o'clock in the forenoon, to show cause if any you have why such suspension should not be continued in force until your official conduct as Auditor of the Territory of Hawaii can be submitted

to and acted upon by the Senate of the Territory of Hawaii.
(Signed) SANFORD B. DOLE,
Governor of the Territory of Hawaii.

Honolulu, T. H.

Mr. Herbert C. Austin, Auditor.

Sir:—To your demand for pay of the Auditor's salary during such time as you are suspended, from office, you claiming that such suspension is illegal, my answer is, that the law appears to be that in such a case if it should be ascertained that such suspension is illegal, the officers would be entitled to pay for such time as he is wrongfully prevented from exercising the duties of the office; if the suspension is legal he is not entitled to pay.

Respectfully,
(Signed) SANFORD B. DOLE.

In pursuance of my letter of September 26th to Mr. Austin fixing the 29th of September at 10 o'clock in the forenoon as a time for him to appear and show cause why the said suspension should not be continued in force until his official conduct as Auditor should be submitted to and acted on by the Senate; Mr. Austin appeared with counsel at the time and place mentioned, and stated in effect through his counsel that, inasmuch as he had already been suspended, he would not show cause why such suspension should not be continued as aforesaid.

I feel that conduct such as is set forth in the foregoing copy of my letter to Mr. Austin dated September 25th 1902, is not only inconsistent with the position of Auditor of the Territory, but is sure to be a demoralizing influence upon public accountants who naturally look to the Auditor for an example in matters pertaining not only to the handling of public funds but also to the business principles which are expected of one holding a public trust, both in his public and private relations.

It is my purpose therefore, by and with the advice and consent of the Senate to remove Mr. Herbert C. Austin from the office of Auditor of the Territory.

I refer the matter to the constitutional action of the Senate.

(Signed) SANFORD B. DOLE,
Governor.

Executive Chamber, Territory of Hawaii, November 20th, 1902.

Public Works Office.

On the 3d day of September last, Mr. Public Works, with my appointment James H. Boyd, Superintendent of Public Works, with my approval left the Territory of Hawaii for San Francisco for a vacation of a few weeks, leaving Mr. W. H. Wright, the Treasurer, in charge of his office. Shortly after his departure, shortages were discovered in the moneys of his office, and the Chief Clerk, Mr. B. H. Wright, was arrested therefor under a charge of embezzlement. Later the Treasurer, Mr. W. H. Wright, confessed to defalcations of the moneys in his charge as Treasurer, and on the 24th day of September absconded from the country. On the same day I commissioned Mr. Henry E. Cooper, Secretary of the Territory, as Treasurer.

Owing to the absence of both Mr. Boyd and Mr. W. H. Wright, it became necessary that some one should be appointed to attend to the duties of the Superintendent of Public Works, and on the 1st of October, I appointed Mr. Henry E. Cooper as my agent and personal representative to do so by letter of appointment, of which the following is a copy:

Honolulu, T. H., October 1, 1902.

Sir:—Owing to the absence from the Territory of Mr. James H. Boyd, Superintendent of Public Works, it is at present impossible for the faithful execution of the laws of the Territory of Hawaii, in respect to his office, and as the necessity of public business requires the appointment of some person authorized to discharge the duties of the Superintendent of Public Works, during his absence, I now, by virtue of the authority in me vested by law, more particularly by sections 67 and 68 of the Organic Act, request you to assume and discharge the duties and exercise the powers of the Superintendent of Public Works as my agent and personal representative, during my pleasure and the absence of Mr. James H. Boyd from the Territory.

I am, Sir,

Very respectfully,
(Signed) SANFORD B. DOLE,
Governor of the Territory of Hawaii.

Hon. Henry E. Cooper, Secretary of the Territory.

On the same day I forwarded a letter to Mr. James H. Boyd requesting his return, of which the following is a copy:

Honolulu, T. H., October 1, 1902.

Mr. James H. Boyd, c/o Mrs. W. L. Grieve, Oakland, Cal.

Sir:—It is necessary that you should return to Honolulu by the first opportunity. Please observe this request.

Very respectfully,
(Signed) SANFORD B. DOLE.

On the 2d of October I notified the Deputy Auditor, Mr. H. C. Meyers, of my action in authorizing Mr. Cooper to take charge of the Public Works office by letter of which the following is a copy:

Honolulu, Oct. 2, 1902.

Mr. H. C. Meyers, Deputy Auditor.

Sir:—I am directed by the Governor

to

to

to

to

to

to

to

USE Incandescent Lamps AND BE THANKFUL

The greatest blessing of home comforts is unquestionably the incandescent light. Just turn the button and the light is on. No bother, no trouble and cost very little more than kerosene. If you are not using them already, and would like to get estimate, let us know where to find you.

Hawaiian Electric Company, Ltd.
KING STREET, NEAR ALAKEA. TELEPHONE MAIN 390.

That THANKSGIVING TURKEY

If it is to be a good one better leave your order with us now and get exactly what you want—before the rush. We have extra choice Mince Meat in bulk, as well as live Turkeys, Chickens, Ducks and Geese. Just received a new shipment of choice EASTERN OYSTERS also fine cock-tail oysters.

Metropolitan Meat Company, Ltd.
Telephone Main 45

E. C. WILLIAMS
FIRST-CLASS SERVICE—
OFFICE OPEN DAY AND NIGHT.
Fine caskets, shrouds and robes of every description.
First-class Embalmer from S. F.
LADIES IN ATTENDANCE.
TEL. MAIN 179.

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J. C. AXTELL
PHONE BLUE 1801 HONOLULU P. O. BOX 642

St. Louis A.B.C. BEERS
The Highest Priced but the Best Quality.
SOLD EVERYWHERE.

to enclose you the following copy of a letter to Mr. Cooper, appointing him my agent to take charge of the Department of Public Works during the absence of Mr. J. H. Boyd.

This letter was delivered to Mr. Cooper yesterday afternoon.

Very respectfully,
(Signed) ALEX. G. HAWES JR.,
Secretary to the Governor.

Reflection on Boyd.

Upon the discovery of shortages in the cash of the Public Works Office, I had ordered an investigation of the accounts of the office by the Deputy Auditor and his reports showed a condition of things in such accounts that reflected in my opinion upon the integrity or competency of the Superintendent. As such investigations were not completed at the time Mr. Boyd was expected to arrive in Honolulu on his return from San Francisco, about October 21st or 22d, I sent him a letter of which the following is a copy, to be delivered to him upon his arrival in Honolulu:

Honolulu, T. H., Oct. 21, 1902.

Mr. James H. Boyd, Superintendent of Public Works, Honolulu, T. H.

Sir:—During your absence from the Territory matters have come to light in the Department of Public Works which in connection with the absence of the Treasurer, who was deputed by you to attend to your official duties, made it necessary for me to take charge of the work of the Department. I have placed Mr. Henry E. Cooper in charge as my agent and personal representative to exercise the powers and discharge the duties of the position of Superintendent of Public Works and have instituted an investigation

of the accounts of the Department, which investigation is not yet completed and which has developed some matters affecting your management of the office requiring an explanation from you.

Pending such investigation and explanation, I deem it my duty in the public interests to retain charge of the office and have authorized Mr. Cooper to continue to exercise the powers and discharge the duties appertaining to the Superintendent of Public Works until further notice.

I request and require you to abstain from the time being from all interference with Mr. Cooper in his exercise of such authority, and desire you to meet me at the Executive Chambers as soon as may be, that you may hear the matters referred to affecting your administration of the office, and requiring explanation as aforesaid.

Very respectfully,
(Signed) SANFORD B. DOLE.

On the same day I delivered to Mr. Cooper a letter of which the following is a copy, continuing him in charge of the Public Works Office until further notice:

Honolulu, T. H., Oct. 21st, 1902.

Mr. Henry E. Cooper.

Sir:—Referring to my letter of October 1st, requesting "you to assume the powers of the Superintendent of Public Works, as my agent and personal representative during my pleasure and the absence of Mr. James H. Boyd from the Territory," I now request you to continue to exercise such authority and discharge such duties

(Continued on Page 7.)